



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Edmund D. Blackshear et al.

Examiner: L.C. Thai

Application No.: 10/056,256

Group Art Unit: 2827

Filed: January 24, 2002

For: VERICALLY STACKED MEMORY Date: May 14, 2004
CHIPS IN FBGA PACKAGES

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

The Commissioner for Patents
Mail Stop Issue Fee
P.O. Box 1450
Alexandria, VA 22313

Sir:

The applicants acknowledge with appreciation the Notice of Allowance and Notice of Allowability for the above-identified application, stating that claims 1-4, 6-11, 13, 14, 21-24 and 26 are allowed.

The Notice of Allowability includes an examiner's statement of reasons for allowance. In this statement, the Examiner indicates particular limitations and elements in the claims which are not disclosed in or suggested by the prior art. The applicants wish to point out that it is well settled that the patentability of a claim is determined by considering the claim as a whole. MPEP §§ 2141.02, 2143.03.

Accordingly, to the extent that the Examiner's statement could in any way be construed to limit the scope of the allowed claims, the applicants respectfully disagree with that statement.

The applicants' undersigned attorney may be reached by telephone at (845) 894-3667. All correspondence should continue to be directed to the address listed on the Notice of Allowance.

Respectfully submitted,



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